

**Maria Ahmad**  
**Registered foreign lawyer**  
**614402**

**[Agreement Date: 4 April 2023](#)**

**Decision - Agreement**

Outcome: Regulatory settlement agreement

Outcome date: 4 April 2023

Published date: 18 May 2023

**Firm details**

**Firm or organisation at time of matters giving rise to outcome**

Name: Malik Law Chambers

Address(es): 233 Bethnal Green Road, London E2 6AB

Firm ID: 348326

**Outcome details**

This outcome was reached by agreement.

**Decision details**

1. Ms Maria Ahmad ('the Respondent') formerly employed at Malik Law Chambers ('the Firm') of 233 Bethnal Green Road, London, E2 6AB agrees to the following outcome of the investigation into her professional conduct under reference Solicitors Regulation Authority ('SRA') RGC-000023424.

**Background facts**

2. Ms Ahmad was registered with the SRA as a Registered Foreign Lawyer ('RFL'). She applied to be removed from this register on 6 March 2018 and it was completed on 21 March 2018.

3. She was a partner in the Firm since 21 August 2014. She became the Firm's Compliance Office for Finance and Administration ('COFA') on 1 December 2016. Ms Ahmad worked from the Firm's Birmingham office.

4. As part of an investigation into the Firm, on the 29 November 2017, the SRA wrote to Ms Ahmad at the Firm's address and served on her (as



COFA), and the Firm, production notices pursuant to section 44B of the Solicitors Act 1974. The SRA requested information and documentation from her. Ms Ahmad, and the Firm, failed to provide the information requested.

5. On 6 December 2017, the SRA wrote to Ms Ahmad, as the COFA, to inform her that the SRA's Forensic Investigation Officers (FIO) would be attending the Firm, at the Bethnal Green Office, on 13 December 2017 to commence an inspection.

6. During the inspection, Ms Ahmad was in the Birmingham office and was not available to assist the Forensic Investigation Officers.

7. The Forensic Investigation Officers telephoned Ms Ahmad on the 13 December 2017. She stated that she was on holiday but was unaware of the investigation. It transpired that the Firm had recently moved office in Birmingham and had not updated its SRA records resulting in Ms Ahmad not receiving the investigation notification letter.

8. On 12 February 2018, the SRA wrote to Ms Ahmad and served on her, and the Firm, further production notices pursuant to Section 44B of the Solicitors Act 1974. Again, the SRA requested information and documentation from her. By this time, Ms Ahmad had resigned as partner and COFA on 11 February 2018.

9. On 19 February 2018 and 5 March 2018, the Forensic Investigation Officers attended the Birmingham office and met with Ms Ahmad.

10. On 6 April 2018, the Forensic Investigation Officers produced a report dated 6 April 2018 ('the FI Report'). The report identified breaches of the SRA Principles 2011, the SRA Code of Conduct 2011 and the SRA Accounts Rules 2011.

11. The Report identified serious concerns about the Firm and its owners, Dr M and Mr IA. There were also concerns identified in relation to misleading information having been provided about Mr IA, and that he was too ill to attend to the Forensic Investigation Officers questions due to poor health. However, two employees at the Firm, including Ms Ahmad, confirmed that Mr IA worked at the Firm regularly and actively worked on client matters. The concerns about Mr IA have since been found by the SRA to be false.

12. In relation to the Firm's finances, there were concerns identified that the Firm operated a number of bank accounts that had not been disclosed to the SRA; and the Firm had failed to provide sufficient information in respect of its books of accounts. Therefore, the Forensic Investigation Officers were unable to confirm whether the Firm held sufficient funds to meet its liabilities to clients.



13. On 13 April 2018 the Adjudication Panel decided to intervene into the Firm and also into the practices of Dr M and Mr IA, the Firm's owners. The intervention was effected on 18 April 2018 and the Firm closed.

14. The intervention into the practice of Dr M at the Firm were on the following grounds:

- a. There was a reason to suspect dishonesty on the part of Dr M in connection with his practice (Paragraph 1(1)(a)(i) Schedule 1 of Solicitors Act);
- b. Dr M had failed to comply with the SRA Principles 2011, which are rules made under section 31 of the Solicitors Act (Paragraph 1(1)(c) Schedule 1 Solicitors Act);
- c. Intervention was necessary to protect the interests of clients of Dr M, or the Firm (Paragraph 1(1)(m) Schedule 1 Solicitors Act);

15. The intervention into the practice of Mr IA at the Firm were on the following grounds:

- a. There was reason to suspect dishonesty on the part of Mr IA in connection with his practice (Paragraph 5(3)(a) Schedule 14 Courts and Legal Services Act);
- b. Intervention was necessary to protect client interests (Paragraph 5(3)(j) Schedule 14 Courts and Legal Services Act).

16. The intervention into the Firm was on the following grounds:

- a. There was reason to suspect dishonesty on the part of Dr M and Mr IA the Firm's managers, in connection with the Firm's business (Paragraph 32(1)(d)(i) Schedule 2 Administration of Justice Act);
- b. That the Firm and Mr IA, as manager of the Firm, had failed to comply with the SRA Principles 2011, which are rules applicable to the Firm and its managers by virtue of Section 9 of the Administration of Justice Act (Paragraph 32(1)(a) Schedule 2 Administration of Justice Act).

#### **Ms Ahmad's position**

17. Ms Ahmad provided the following information to the Forensic Investigation Officers during her discussions with them on 19 February 2018 and 5 March 2018:

- a. She was a partner in name only;
- b. Although she was the COFA, Dr M dealt with the finances including the day-to-day accounts and banking which were all done in the Bethnal Green office;
- c. Mr IA continued to work at the Firm and was involved in its day-to-day operation. Ms Ahmad provided the Forensic Investigation Officers an email exchange between her and Mr IA from November 2017, which included Mr IA stating on 7 November 2017, 'I have to



manage the business'. In an email dated 21 February 2018, Ms Ahmad stated that Mr IA was not ill and attended the Firm regularly;

18. Ms Ahmad provided the following further information to the SRA's Investigation Officer:

- a. In 2014 she approached Dr M for advice on how to get qualified into Immigration law and he offered her a job in the Firm;
- b. She worked in the Birmingham Office which was just a branch office, and she did not know anything about the Firm's accounts;
- c. Ms Ahmad became registered with the SRA as a Registered Foreign Lawyer and worked as a Caseworker at the Firm in 2014 in the Birmingham branch;
- d. Ms Ahmad did not know she became a manager of the Firm on 21 August 2014. She did not know how this happened as she was told to sign documents without reading them;
- e. It was sometime in 2016 when she became aware she was a manager and COFA at the Firm, she realised when she saw a letterhead and her name was on it;
- f. She became COFA because the predecessor was ill, and Dr M asked her to replace them. He told her that she did not need to do anything but taking the position would be good for her profile and to sign a document;
- g. Ms Ahmad understood the role of manager to be an Office manager and she did not realise how much responsibility being a manager at the Firm entailed. Ms Ahmad was a manager in her previous job so when she became a manager at the Firm she thought it would be the same. She did not know it would mean she would have to know the SRA Rules;
- h. Ms Ahmad received payment for her work at the Firm from January 2016. She did not have a partnership agreement; or have any document outlining what her duties were; she did not have an employment contract;
- i. In the Birmingham office, Dr M and Mr IA would open files and she would complete the casework. Dr M and Mr IA would check the casework and she would submit it;
- j. Ms Ahmad was junior compared to Dr M and Mr IA;
- k. Dr M would visit the Birmingham office on Fridays to collect monies; Ms Ahmad and her colleagues would count the money and put this and any cheques in the server room. Dr M had keys to this room and collected all monies;
- l. Ms Ahmad was not involved with the accounting and when a receipt book was finished she and her colleagues would hand these over to Dr M;
- m. Ms Ahmad did not have access to the Firm's email address;
- n. Ms Ahmad was not working at the Firm at the time of the intervention on 13 April 2018;
- o. When the Forensic Investigation Officers asked her on 13 December 2017 where Mr IA was, she said he had been away for three months



because that was what she was told to say when she contacted the London office.

- p. Around February 2018, she later informed the FIOs that she never attended the London office that was why she provided the information as she received it. She informed the FIOs about the emails she received from Mr IA. He is the brother of Dr M and had access to the firm's computers and records from home. She was not sure if Mr IA was using office email while being at home.
- q. On 21 February 2018, she emailed the FIO confirming that Mr IA comes into the London office daily and that he is not ill.

19. As set out above, the SRA served production notices on Ms Ahmad which were not complied with fully and on time. On 11 December 2018, Ms Ahmad provided the SRA's Investigation Officer with the following reasons for the failures to reply fully or at all:

- a. She knew about the letter of 29 November 2017. However, she was told by Dr M that the SRA had sent a list of files which were hers and that Dr M told her that he was dealing with it and that he was providing the SRA with the information. The Firm was personally supervised and managed by Dr M who used to keep all the post, mail and parcels and therefore who dealt with all correspondence;
- b. She resigned from her role of manager and COFA the same day she received the production notice of 12 February 2018 because she had no information to give;
- c. Even though she was made COFA, in name only, Dr M as sole owner of the Firm controlled and operated the day-to-day administration of the office. Dr M was the only responsible person who had exclusive access and control of all files and documents, finance and all kind of other affairs of the Firm;
- d. She could not formally resign from working at the Firm as she had no formal contract. She therefore applied to remove her role from mySRA on 6 March 2018 which was authorised on 21 March 2018 when her application to remove herself from the Register of RFLs was approved.

### **Allegations**

20. On 9 November 2018 the SRA sent a letter to Ms Ahmad formally raising allegations of failing to carry out the role of manager and COFA; failing to provide a competent service to or protect the interest of the Firm's clients in relation to Immigration matters; failing to report serious misconduct at the firm; and failing to co-operate with the forensic investigation.

### **Breaches**

21. In light of the above, it is the SRA's position that Ms Ahmad became aware that she was made partner/manager and COFA of the Firm in



December 2016; and upon this knowledge she failed to relinquish these appointments of COFA and partner/manager which were entirely nominal, and where (as she knew) she was not provided with the access necessary to fulfil these roles effectively.

22. In doing so, she breached Principle 8 of the SRA Principles 2011 ('the Principles'); breached Rule 8.5(e)(i) of the SRA Authorisation Rules 2011; and failed to achieve Outcomes 7.2, and 7.3 of the SRA Code of Conduct 2011 ('the Code').

23. Principle 8 of the Principles states you must, 'run your business or carry out your role in the business effectively and in accordance with the proper governance and risk management principles. Ms Ahmad states that Dr M did not discuss with her the appointment to COFA and partner/manager. However, once Ms Ahmad was aware of the appointments in December 2016, Ms Ahmad continued to hold the appointment, albeit that she was aware that they were nominal appointments and that Dr M had control of the day-to-day administration of the Firm and of the finances. Ms Ahmad's continuation in this appointment without taking steps to rectify the position with Dr M, Mr IA or the SRA constitutes a breach of this Principle.

24. Rule 8.5(e)(i) of the SRA Authorisation Rules 2011, 'The COFA of an authorised body must: (i) take all reasonable steps to: (A) ensure that the body and its managers or the sole practitioner, and its employees comply with any obligations imposed upon them under the SRA Accounts Rules; (B) record any failure so to comply and make such records available to the SRA on request'. Ms Ahmad has stated that she was not aware that she was made COFA and partner/manager. However, when she became aware of these appointments her continuation in these roles, despite admitting to the SRA that she was informed by Dr M that this was a nominal position and that she did not have access to the Firm's internal systems, constituted a breach of Rule 8.5(e)(i).

25. Outcomes 7.2 and 7.3 of the Code, 'you have effective systems and controls in place to achieve and comply with all the Principles, rules and outcomes and other requirements of the Handbook, where applicable' 'you identify, monitor and manage risks to compliance with all the Principles, rules and outcomes and other requirements of the Handbook, if applicable to you, and take steps to address issues identified'. Similarly, as identified in the above paragraph, Ms Ahmad knew that she was in these appointed roles in 'name only'. Thus she knew that she did not have the means to ensure that the role could be sufficiently executed. The failure to relinquish these positions constituted a failure to achieve the above Outcomes.

26. Conduct of this nature is capable of unwittingly facilitating the carrying on of serious misconduct by others. As identified in paragraphs 21 to 25 above, upon finding out that she was appointed to the role of COFA she knew that this was in name only. However, she continued to



remain in this role and explained in paragraphs 18(e) and 19(d) above Ms Ahmad became aware of being appointed COFA in around December 2016 but did not resign from this position until 6 March 2018. She maintains that she was unaware of the responsibilities that the role of COFA carried and therefore unwittingly allowed the serious misconduct of others.

### **Admissions**

27. Ms Ahmad makes, and the SRA accepts, the following admissions:

- a. Upon becoming aware of her appointment as COFA and partner/manager, which were entirely nominal, and where she knew she was not provided with the access necessary to fulfil these roles effectively, she failed to relinquish these appointments and continued in the positions until she tendered her resignation.
- b. She therefore breached Principle 8 of the SRA Principles 2011 ('the Principles'); breached Rule 8.5(e)(i) of the SRA Authorisation Rules 2011; and failed to achieve Outcomes 7.2, and 7.3 of the SRA Code of Conduct 2011 ('the Code').

### **Mitigation**

28. Ms Ahmad has advanced mitigation in respect of the admitted breaches. Such mitigation can be found in paragraphs 17 - 19 above (section 'Ms Ahmad's position').

### **Regulatory Outcome**

29. Ms Ahmad has admitted the breaches above.

30. Ms Ahmad has agreed that should she ever re-apply for registration, either on the register for foreign lawyers; or apply to be admitted as a solicitor in England and Wales, her registration (if applying for registration to the register for foreign lawyers) or practising certificate (if applying for admission as a solicitor) be subject to conditions including but not limited to:

- a. as from a specified date:
  - i. no solicitor or employee of a solicitor shall employ or remunerate, in connection with the practice carried on by that solicitor, Ms Ahmad, except in accordance with the SRA's permission; and
  - ii. no authorised body, or manager or employee of such body, shall employ or remunerate the Ms Ahmad, in connection with the business of the authorised body, except in accordance with the SRA's permission;
- b. that as from the specified date no authorised body or manager or employee of such a body shall, except in accordance with the SRA's





- permission, permit Ms Ahmad to be a manager of the body;
- c. that as from the specified date no authorised body or manager or employee of such a body shall, except in accordance with the SRA's permission, permit Ms Ahmad to have an interest in the body.
- d. that as from the specified date no authorised body or manager or employee of such a body shall, except in accordance with the SRA's permission, permit Ms Ahmad to be a compliance officer for legal practice or compliance officer for finance and administration.
- e. Ms Ahmad is only to work in legal services under the supervision of a solicitor who holds a current practising certificate.

31. Ms Ahmad agrees that this outcome will be published by the SRA and that it may also be disclosed to any person upon request or otherwise.

32. Ms Ahmad agrees she will not act in any way inconsistent with this agreement by, for example, denying the misconduct admitted above.

33. Ms Ahmad understands and accepts that if any terms of this agreement are not complied with or if Ms Ahmad acts in any way which is inconsistent with this agreement, then her conduct may be referred to the Solicitors Disciplinary Tribunal (Tribunal) on the original facts and allegations and also on the basis that she has failed to comply with this Regulatory Settlement Agreement and that this will constitute a breach of Principles 2 and 5 of the SRA Principles .

#### **Referral to the Tribunal**

34. The SRA's decision to refer Ms Ahmad's conduct to the Tribunal dated 30 January 2019 will be overturned upon discharge of Ms Ahmad's signing and dating of this RSA.

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